

FEDERAL REGISTER



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OF THE UNITED STATES

Washington, Wednesday, September 24, 1947

TITLE 3—THE PRESIDENT

PROCLAMATION 2746

PALESTINE—SUSPENSION OF TONNAGE — DUTIES

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS section 4228 of the Revised Statutes of the United States, as amended by the act of July 24, 1897, c. 13, 30 Stat. 214 (U. S. C., title 46, sec. 141) provides, in part, as follows:

Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer.

AND WHEREAS satisfactory proof was received by me from the Government of Palestine on August 6, 1947, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Palestine upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in such vessels, from the United States, or from any foreign country.

NOW THEREFORE, I, Harry S. Truman, President of the United States of America, by virtue of the authority vested in me by the above-quoted statutory provisions, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Palestine and the produce, manufactures, or merchandise imported in said vessels into the United States from Palestine or from any other foreign

country; the suspension to take effect from August 6, 1947, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of September in the year of our Lord nineteen hundred and [SEAL] forty-seven and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 47-8690; Filed, Sept. 23, 1947;
11:22 a. m.]

EXECUTIVE ORDER 9892

DESIGNATING THE FISH AND WILDLIFE SERVICE AS THE AGENCY RESPONSIBLE FOR THE ENFORCEMENT OF THE SOCKEYE SALMON FISHERY ACT OF 1947

By virtue of the authority vested in me by section 6 (a) of the Sockeye Salmon Fishery Act of 1947 (Public Law No. 255, 80th Congress), and as President of the United States, I hereby designate the Fish and Wildlife Service of the Department of the Interior as the Federal agency which shall be responsible, under the direction of the Secretary of the Interior, for the enforcement of the provisions of (1) the said Sockeye Salmon Fishery Act of 1947, (2) the convention between the United States of America and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, signed at Washington on May 26, 1930, and (3) the regulations of the International Pacific Salmon Fisheries Commission, created pursuant to Article II of the said convention.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 20, 1947.

[F. R. Doc. 47-8678; Filed, Sept. 23, 1947;
2:42 p. m.]

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EXECUTIVE ORDER 9893

AUTHORIZING THE CIVIL SERVICE COMMISSION TO CONFER A COMPETITIVE STATUS UPON MRS. CHARLOTTE GLADDEN WITHOUT COMPLIANCE WITH THE COMPETITIVE PROVISIONS OF THE CIVIL SERVICE RULES

NOTE: Executive Order No. 9893 was filed with the Division of the Federal Register as F. R. Doc. No. 47-8677, on September 22, 1947, at 2:42 p. m.

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

SCHEDULE A; DEPARTMENT OF COMMERCE

The Commission, at the request of the Secretary of Commerce, has determined that the positions of one private secretary to the Under Secretary of Commerce, and one private secretary to the Solicitor of the Department of Commerce should be filled in the same manner as are positions under Schedule A. Section 6.4 (a) is therefore amended in pertinent part as follows:

§ 6.4 *Lists of positions excepted from the competitive service—(a) Schedule A * * **

(11) *Department of Commerce.* (i) Two private secretaries or confidential assistants to the Secretary of Commerce, one to the Under Secretary of Commerce, one to the Solicitor of the Department of Commerce, and one to each Assistant Secretary of Commerce.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 47-8637; Filed, Sept. 23, 1947; 9:47 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[Quarantine 28]

PART 319—FOREIGN QUARANTINE NOTICES

CITRUS FRUIT QUARANTINE

Introductory note. This revision of the quarantine is issued to provide protection against the entry of citrus canker on the fruits of all hosts and from all countries where it is known to occur; to prohibit the entry of two additional diseases infecting certain species of citrus in several South American countries; and

to remove the Union of South Africa from the list of countries designated as infected with citrus canker. Under its provisions the following prohibitions with reference to imports into the continental United States, Puerto Rico, and Hawaii are established:

(1) On account of citrus canker: Importation prohibited of all fruits and peel of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddaloideae of the botanical family Rutaceae; from Eastern and southeastern Asia (including India, Burma, Ceylon, Siam, Indo-China, and China) the Malayan Archipelago, the Philippine Islands, Oceania (except Australia and Tasmania) Japan (including Formosa and other islands adjacent to Japan) Mauritius, Mozambique, and Seychelles.

(2) On account of sweet orange scab: Importation prohibited of fruits and peel of lime, sour orange, Mauritius papeda, lemon, grapefruit, mandarin orange, sweet orange, and oval kumquat; from Argentina, Brazil, Paraguay, and Uruguay.

(3) On account of "Cancrosis B": Importation prohibited of fruits and peel of lime, sour orange, lemon, citron, and sweet orange; from Argentina, Paraguay, and Uruguay.

Notice of determination of the Secretary of Agriculture. Information available to the Secretary of Agriculture, and presented on December 5, 1946, at a public hearing, as required by law, discloses that the citrus canker disease has extended its geographic and host ranges beyond those designated in the citrus fruit quarantine promulgated June 27, 1917. Infections of this disease have been reported from Burma, Mauritius, Mozambique, Seychelles, and New Zealand. In both these newer and in the previously designated infected areas the disease is now known to attack not only the formerly quarantined species and varieties of citrus fruits but also to infect fruit of other genera, species and varieties of the subfamily Aurantioideae, as well as those of the subfamilies Rutoideae, and Toddaloideae, all three being subfamilies of the botanical family Rutaceae. Oranges of the mandarin class (*Citrus reticulata* Blanco) previously admitted under permit, are thus among those known to be hosts of the disease. Further, this disease is known to persist in a viable state on the peel of citrus and susceptible relatives. Information has also been made available to the Secretary of Agriculture that the citrus canker has been eradicated from the Union of South Africa, so that this dominion may be removed from the list of countries designated as infected with the citrus canker.

Also available to the Secretary of Agriculture and presented at the public hearing is information concerning two recently reported diseases, sweet orange scab, caused by *Elsinoe australis* Bitanc. and Jenkins, and the bacterial disease known as "Cancrosis B." Sweet orange scab is known to occur in Argentina, Brazil, Paraguay, and Uruguay, where it attacks trees and fruit of lime, sour orange, Mauritius papeda, lemon, grapefruit, mandarin orange, sweet orange, and oval kumquat. The bacterial disease "Cancrosis B" occurs in Argentina,

Paraguay, and Uruguay, where it infects trees and fruit of lime, sour orange, lemon, citron, and sweet orange.

Accordingly, the Secretary of Agriculture has determined that it is necessary to take into account these extensions in the geographic and host ranges of the citrus canker disease; to include in this quarantine two additional plant diseases, new to and not heretofore widely prevalent or distributed within and throughout the United States, infecting certain species of citrus in several South American countries; and to remove the Union of South Africa from the list of countries designated as infected with the citrus canker. The quarantine is therefore hereby revised to read as follows:

§ 319.28 *Notice of quarantine.* Under the authority conferred by section 7 of the Plant Quarantine Act of August 20, 1912, as amended, and having held the public hearing required thereunder, the Secretary of Agriculture does hereby declare, (a) that in order to prevent the introduction into the United States of the citrus canker disease (*Xanthomonas citri* (Hesse) Dowson) the importation into the continental United States, Puerto Rico and Hawaii of all fruits and peel of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddaloideae of the botanical family Rutaceae from eastern and southeastern Asia (including India, Burma, Ceylon, Siam, Indo-China, and China) the Malayan Archipelago, the Philippine Islands, Oceania (except Australia and Tasmania) Japan (including Formosa and other islands adjacent to Japan) Mauritius, Mozambique, and Seychelles, is prohibited; (b) that in order to prevent the introduction into the United States of sweet orange scab (*Elsinoe australis* Bitanc. and Jenkins) the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. hystrix* DC., *C. limon* (L.) Burm. f., *C. paradisi* Macf., *C. reticulata* Blanco, *C. sinensis* (L.) Osbeck, and *Fortunella margarita* (Lour.) Swingle, from Argentina, Brazil, Paraguay, and Uruguay, is prohibited; and (c) that in order to prevent the introduction into the United States of the bacterial disease known as "Cancrosis B" the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. limon* (L.) Burm. f., *C. medica* L., and *C. sinensis* (L.) Osbeck, from Argentina, Paraguay, and Uruguay, is prohibited: *Provided*, That seeds and processed peel of fruits designated herein are excluded from the provisions of this quarantine. Such seeds, however, are subject to the requirements of nursery stock, plant, and seed quarantine No. 37 (7 CFR § 319.37 to 319.37-15, inclusive).

This prohibition shall not apply to importations for experimental or scientific purposes by the United States Department of Agriculture upon such conditions and under such requirements as may be prescribed in permits that may be issued by the Chief of the Bureau of Entomology and Plant Quarantine for such importations.

This revision of the quarantine shall be effective on and after October 25, 1947, and shall supersede the quarantine and regulations issued June 27, 1917 (7 CFR 319.28-319.28-5)

(Sec. 7, 37, Stat. 317; 7 U. S. C. 160)

REFERENCE: Subpart entitled "Citrus fruit quarantine" of Part 319, Chapter III, Title 7, Code of Federal Regulations.

Done at the city of Washington this 19th day of September 1947.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

APPENDIX

OTHER RELATED QUARANTINES

Citrus nursery stock, except seeds, is prohibited entry from all foreign countries and localities by the citrus nursery stock quarantine No. 19 (7 CFR § 319.19).

The importation from all foreign countries of fruits of citrus and citrus relatives, other than those specified in this quarantine, is restricted by the provisions of fruit and vegetable quarantine No. 58 (7 CFR, §§ 319.56 to 319.56-7, inclusive).

[F. R. Doc. 47-8646; Filed, Sept. 23, 1947; 9:02 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 975—MILK IN CLEVELAND, OHIO, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of 48 Stat. 31, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, 50 Stat. 246, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Cleveland, Ohio, marketing area, hereinafter referred to as the "order," it is hereby found and determined that § 975.6 (d) (3) of such order does not tend to effectuate the declared policy of the act.

It is hereby further found and determined that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in connection with the issuance hereof is impracticable, unnecessary, and contrary to the public interest, in that (1) petitions have been received from a producer's cooperative association representing about 40 percent of the producers supplying the market and from a committee representing most of the handlers serving the market requesting that § 975.6 (d) (3) be suspended, (2) the actions being taken require prompt effectuation to assure that milk supplies will be processed, and (3) the issuance of this suspension order effective as specified below is necessary to the effectuation of the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended.

It is therefore ordered, That § 975.6 (d) (3) of the order be and it hereby is suspended effective at 12:01 a. m., e. s. t., October 1, 1947.

(48 Stat. 31, 50 Stat. 246, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 19th day of September 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-8647; Filed, Sept. 23, 1947;
8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 7]

PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

MISCELLANEOUS AMENDMENTS

Acting pursuant to the authority vested in me by the Federal Airport Act (60 Stat. 170) I hereby amend Part 550 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By renumbering § 550.20 and § 550.21 as § 550.21 and § 550.22, respectively.

2. By inserting a new § 550.20 reading as follows:

§ 550.20 *Project accounts and records*—(a) *Bank account.* All project funds (including funds of the sponsor and funds received from the Federal Government or from other sources) shall be deposited in a bank or trust company satisfactory to the Regional Administrator and maintained in an account in such bank or trust company, separate and distinct from all other funds of the sponsor, entitled "Federal Airport Project, (name of airport)".

(b) *Invoices and documentary evidence.* The sponsor shall secure and retain in its files vendors' invoices, contractors' pay estimates, sponsors' pay rolls or other suitable documentary evidence in support of each item of project costs.

(c) *Canceled checks, vouchers, etc.* The sponsor shall retain in its files all vouchers or canceled checks as evidence of payment for all items of project costs.

3. By amending the introductory paragraph of § 550.21 to read as follows:

§ 550.21 *Grant payments.* Within ten days after acceptance of the Grant Offer, the sponsor shall designate an official or officials or depository, authorized by law to receive public funds, to receive payments representing the United States' share of the project costs. All such payments will be made to the official or officials or depository so designated and certified by the sponsor, who, upon receipt thereof, or within a reasonable time thereafter, shall deposit, or pay over such funds to the sponsor for deposit, in a bank account in accordance with the requirements of § 550.20 (a) of the regulations in this part. The funds so deposited in such bank account shall be withdrawn only in payment of the project costs of development of the project. In case any balance or unexpended funds shall remain in the account after completion of the project and the payment of all costs thereof, the sponsor shall refund to the

United States, upon demand by the Administrator, any unexpended balance of payments made by the United States into the account.

4. And by amending § 550.21 (c) to read as follows:

§ 550.21 *Grant payments.* * * * (c) *Audits.* The sponsor shall permit the authorized representatives of the Civil Aeronautics Administration to audit the project records and accounts to determine the allowability of project costs and the amount of Federal participation in the cost of the project.

Progress audits may be made from time to time at the request of the sponsor or the District Airport Engineer, or at the direction of the Superintendent of Airports, and will be made at either the seventy or eighty-five percent stage of completion if the United States' share of the project is in excess of \$250,000.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

(60 Stat. 170)

C. I. STANTON,
*Acting Administrator
of Civil Aeronautics.*

[F. R. Doc. 47-8628; Filed, Sept. 23, 1947;
8:45 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 201—RULES OF PRACTICE

HEARING BEFORE COMMISSION

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly section 19 (a) thereof; the Securities Exchange Act of 1934, as amended, particularly section 23 (a) thereof; the Public Utility Holding Company Act of 1935, particularly section 20 (a) thereof; the Trust Indenture Act of 1939, particularly section 319 (a) thereof; the Investment Company Act of 1940, particularly section 38 (a) thereof; and the Investment Advisers Act of 1940, particularly section 211 (a) thereof; and finding such action necessary and appropriate to carry out the provisions of such acts, hereby takes the following action:

Section 201.12 (Rule XII) of the rules of practice of the Commission, is amended by redesignating paragraphs (b) (c) and (d) as (c) (d) and (e) thereof respectively and by adding after paragraph (a) a new paragraph to be designated paragraph (b) reading as follows:

§ 201.12 *Hearing before the Commission.* * * *

(b) Unless otherwise directed by the Commission, not more than one hour will be allowed for oral argument by any participant and, where the same or similar interests are represented by more than one participant, an aggregate of not more than one hour will be allowed the interests so represented irrespective of the number of participants, the time to

be divided equally among such participants. In appropriate cases the Commission may, in its discretion, extend, shorten or reallocate the time prescribed herein. Oral arguments should be succinct and avoid a repetition of matters already discussed in any briefs which may have been submitted.

The foregoing is deemed to be a rule of agency organization, procedure or practice, and the Commission finds that the preliminary notice and public procedure provided for in section 4 (a) and (b) of the Administrative Procedure Act are unnecessary.

The foregoing action shall become effective September 17, 1947.

(Secs. 19 (a) 23 (a) 48 Stat. 85, 901, sec. 20 (a), 49 Stat. 833, sec. 319 (a) 53 Stat. 1173, secs. 38 (a), 211 (a), 54 Stat. 841, 855; 15 U. S. C. 77s, 78w, 79t, 77sss, 80a-37, 80b-11)

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

SEPTEMBER 16, 1947.

[F. R. Doc. 47-8632; Filed, Sept. 23, 1947;
8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

PALESTINE; SUSPENSION OF TONNAGE DUTIES

CROSS REFERENCE: For the addition of Palestine to the list of nations whose vessels are exempt from special tonnage taxes, contained in § 4.22, see Proclamation 2746 under Title 3, *supra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2361]

PART 4—DELEGATIONS OF AUTHORITY

ACTING ASSISTANT SECRETARY

Section 4.4, reading as follows, is added to Part 4:

§ 4.4 *Acting Assistant Secretary.* Whenever an Assistant Secretary of the Interior is absent or a vacancy exists in such a position, the Solicitor of the Department is directed, in accordance with Executive Order No. 9794 of October 26, 1946 (11 F. R. 12697), to perform the duties of the absent Assistant Secretary or of the vacant position. While performing such duties, the Solicitor may exercise all the powers, authority, and discretion of the Secretary of the Interior with respect to any matter which comes before him. (R. S. 161, 5 U. S. C. 22; E. O. 9794, Oct. 26, 1946, 11 F. R. 12697)

J. A. KRUG,
Secretary of the Interior

SEPTEMBER 17, 1947.

[F. R. Doc. 47-8629; Filed, Sept. 23, 1947;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

17 CFR, Part 9011

HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

NOTICE OF PROPOSED SALABLE AND SURPLUS PERCENTAGES

Notice is hereby given, pursuant to section 4 of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) approved June 11, 1946, that the administrative rule herein set forth is proposed by the Secretary of Agriculture in accordance with the authority vested in him by the marketing agreement, as amended, and § 901.4 (b) of the marketing order, as amended (7 CFR 901.1 et seq., 7 CFR, Cum. Supp., 901.4, 901.17, 901.19; 12 F R 5033) regulating the handling of walnuts grown in California, Oregon, and Washington, issued under Public Act No 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

Prior to the final issuance of such rule, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington, D. C., and which are received not later than 5:30 p. m. on the 10th day after the date of the publication of this notice in the FEDERAL REGISTER.

The aforementioned authorization for the issuance of such an administrative rule by the Secretary of Agriculture provides that the action shall be taken by him for each crop year on the basis of the carry-over, estimated consumptive demand, and estimated production of merchantable walnuts, and after consideration of the recommendations submitted to him by the Walnut Control Board, the industry administrative agency for operations under the aforesaid marketing agreement and order, as amended, and other pertinent data; and, to aid the Secretary in taking such action, the Walnut Control Board shall furnish to the Secretary of Agriculture its estimates of the quantity of merchantable walnuts which will be produced

during the particular crop year and of the total consumptive demand in the United States for merchantable walnuts for such crop year (on the basis of prices not exceeding the maximum prices contemplated in section 2 of the Agricultural Marketing Agreement Act of 1937, as amended) as well as a report on the total carry-over of merchantable walnuts from preceding crop years held by packers on the preceding August 1.

The Walnut Control Board, at a duly called meeting in Los Angeles, California, on August 21, 1947, estimated the production of merchantable unshelled walnuts for the 1947 crop year (August 1, 1947 through July 31, 1948) as 1,000,000 bags of 100 pounds each. It estimated that the consumptive demand in the United States for the 1947 crop year will be 810,000 bags. It reported a total carry-over of merchantable walnuts by packers on August 1, 1947, of 58,825 bags. A survey, reported on at the Board meeting by a large cooperative packer, indicated that trade holdings on August 1, 1947, throughout the United States were 111,000 bags, which, in the opinion of the Board, were about 80,000 bags in excess of the normal trade holdings on August 1. On the basis of the foregoing information, the Board recommended a salable percentage of 75 percent and a surplus percentage of 25 percent for the 1947 crop year.

Consideration has been given to the Board's estimates and recommendations and to the report of its deliberations relating to such salable and surplus percentages to be fixed for the 1947 crop year. Other pertinent information has also been considered, including general demand considerations and outlook, prospective supplies and prices of all competing tree nuts, cold storage holdings of all nuts, market conditions and prospective demand for nuts as reported through trade sources, the indicated early shipping season for walnuts, and the effect on shelled walnut production and marketing of different surplus percentages for merchantable unshelled walnuts.

General demand conditions in the United States are expected to continue for some time, at the recent record levels. Available information indicates that the total supply for the 1947 crop year of all domestic and imported shelled and unshelled tree nuts will approximate the supply for the 1946 crop year. From

January 1 to August 1, 1947, unshelled walnuts in the hands of the wholesale trade, according to available information, were disposed of at the rate of about 21,000 bags a month. It is believed that excess holdings of walnuts by the trade on August 1, 1947, could well be considered as somewhat less than 80,000 bags. Due to losses sustained by some wholesalers during the 1946 crop year, it appears likely that they may be conservative in placing orders. However, information developed at the Board meeting indicated that packer prices probably will be substantially lower than those for the 1946 crop year. A sales program designed to stimulate consumer demand and encourage purchases of walnuts by the wholesale trade is anticipated.

In the 1946 crop year, packers shipped 861,434 bags of walnuts to the wholesale trade in the United States. Taking into account both the excess holdings by the wholesale trade (including their adverse effect on demand for walnuts during the 1947 crop year) and the favorable effect on sales volume of lower prices which it is anticipated packers will charge, a consumptive demand for 830,000 bags to 860,000 bags of walnuts may reasonably be expected. Assuming that the lower figure of 830,000 bags represents the consumptive demand for the 1947 crop year, and subtracting it from 1,058,825 bags, which is the estimated merchantable production, plus packer carry-over, a quantity in excess of consumptive demand of 228,825 bags is indicated. A surplus percentage of 20 percent of the estimated merchantable production of 1,000,000 bags would account for all of the surplus quantity, except 28,825 bags which can be considered a normal carry-over by packers at the end of the 1947 crop year.

Therefore, such proposed rule is as follows:

§ 901.200 Salable and surplus percentages for merchantable unshelled walnuts during the 1947 crop year. For the 1947 crop year, the salable percentage for merchantable unshelled walnuts shall be 80 percent and the surplus percentage on such walnuts shall be 20 percent.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

SEPTEMBER 19, 1947.

[F. R. Doc. 47-8548; Filed, Sept. 23, 1947; 9:04 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 1668 et al.]

FLORIDA AIRWAYS, INC., ET AL.

NOTICE OF HEARING

In the matter of the application of Florida Airways, Inc., and other applicants for certificates of public conven-

ience and necessity or amendments thereof under section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing additional air transportation in the Florida area.

Notice is hereby given pursuant to sections 401 and 1001 of the Civil Aeronautics Act of 1938, as amended, that a public hearing in the above-entitled mat-

ter is assigned to be held on October 7, 1947, at 10:00 o'clock a. m., (e. s. t.) in Conference Room A of the Departmental Auditorium, Constitution Avenue NW., between 12th and 14th Streets, Washington, D. C., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues presented by said application, par-

ticular attention will be directed to the following matters and questions:

1. Whether the applicants are citizens of the United States and in addition fit, willing and able to perform properly the proposed air transportation and to conform to the provisions of the Civil Aeronautics Act of 1938, as amended, and the rules, regulations and requirements of the Board thereunder.

2. Whether the air transportation proposed by each applicant is required by the public convenience and necessity.

3. If the public convenience and necessity require the proposed service or services and a selection of carriers is necessary, which applicant or applicants meeting the issues above are required by the public interest to perform the service or services to be authorized.

Notice is further given that any person other than the parties and interveners of record as of September 18, 1947, desiring to be heard in this proceeding may file with the Board on or before October 7, 1947, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert and such person may appear and participate in the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of section 1002 (i) of the Civil Aeronautics Act of 1938, as amended.

Dated at Washington, D. C., September 18, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-8638; Filed, Sept. 23, 1947;
9:02 a. m.]

FEDERAL POWER COMMISSION

[Project No. 1952]

MAVERICK COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

NOTICE OF FINDINGS AND ORDER AUTHORIZING
ISSUANCE OF LICENSE (MAJOR)

SEPTEMBER 18, 1947.

Notice is hereby given that, on September 18, 1947, the Federal Power Commission issued its findings and order entered September 16, 1947, authorizing issuance of license (major) in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-8630; Filed, Sept. 23, 1947;
8:46 a. m.]

[Docket No. IT-6083]

COMISION FEDERAL DE ELECTRICIDAD AND
CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION

SEPTEMBER 18, 1947.

Notice is hereby given that Comision Federal de Electricidad, a governmental agency of the Republic of Mexico, and Central Power and Light Company, Corpus Christi, Texas, have filed a joint application pursuant to section 202 (e)

of the Federal Power Act (16 U. S. C. 824a (e)) for authority to export electric energy across the international boundary between the United States and Mexico over a transmission line from a point at Laredo, Webb County, Texas, to a point on the bank of the Rio Grande at Nuevo Laredo, Tamaulipas, Mexico, in the amount of 7,500,000 kilowatt hours, annually, at a rate of supply not to exceed 1500 kilowatts.

Any person desiring to be heard or to make any protest with reference to the application should, on or before October 8, 1947, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-8631; Filed, Sept. 23, 1947;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 29827]

NEW HAVEN RAILROAD

INCREASED COACH FARES

SEPTEMBER 19, 1947.

By petition dated September 16, 1947, and for reasons therein stated, The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis, and Henry B. Sawyer, Trustees) requests this Commission to authorize it to increase its interstate basic one-way passenger fares in coaches by 15 percent or to approximately 2.875 cents per mile, with a corresponding increase in the minimum one-way fare, and to increase such fares between stations on its lines and stations on connecting lines sufficient to reflect the proposed increases between stations on its lines.

The Commission is further asked to modify its order of February 28, 1936, in No. 26550, Passenger Fares and Surcharges, 214 I. C. C. 174, as subsequently modified, particularly by its order of April 8, 1947, in No. 29678, Increased Passenger Fares—New Haven Railroad, 268 I. C. C. 303, and to grant such relief from the provisions of sections 4 and 6 of the Interstate Commerce Act as may be necessary to permit the maintenance of the proposed increased fares and their establishment, on one day's notice by means of a conversion table tariff.

The petition above described has been docketed as No. 29827, Increased Coach Fares—New Haven Railroad, and is assigned for public hearing before Commissioner John L. Rogers and Examiner Burton Fuller on October 8, 1947, 9:30 o'clock a. m. United States Standard time at the United States Court Rooms, New Haven, Conn.

A copy of this notice has, on the date hereof, been sent by regular mail to the said petitioners, the Governors and the rate regulatory bodies of the States of New York, Connecticut, Rhode Island, and Massachusetts, and at the same time copies have also been deposited in the Office of the Secretary of the Commission at Washington, D. C., and filed with

the Director, Division of Federal Register, Washington, D. C.

By the Commission.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 47-8635; Filed, Sept. 23, 1947,
8:51 a. m.]

[S. O. 769, General Permit 1]

SHIPMENTS OF FURNITURE

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 769 insofar as it applies to the shipments of furniture (not furniture parts) as described in the Consolidated Freight classification provided that each shipment equals or exceeds fifteen percent (15%) of the cubical capacity of a car.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of September 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-8636; Filed, Sept. 23, 1947;
8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1591]

IOWA PUBLIC SERVICE CO. AND SIOUX CITY
GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of September 1947.

Sioux City Gas and Electric Company ("Sioux City") a public utility company and a registered holding company, and its subsidiary, Iowa Public Service Company ("Iowa Public"), also a public utility company and a registered holding company, having filed an application-declaration and amendments thereto pursuant to sections 6 (a) 7, 9, 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-50 promulgated thereunder regarding (a) the proposed issue and sale by Iowa Public, pursuant to the com-

petitive bidding requirements of Rule U-50, of \$3,500,000 principal amount of additional First Mortgage Bonds --% Series, due September 1, 1977, (b) the proposed issuance by Iowa Public of 109,866 shares of additional common stock of a par value of \$15 per share, pursuant to a warrant offering to its common stockholders, the holders of warrants also being entitled to subscribe, subject to allotment, for shares covered by outstanding unexercised warrants (c) the exercise by Sioux City of the warrants to be received by it for 66,359 shares of common stock and, in addition, the subscription by Sioux City for 6,592 additional shares subject to allotment, (d) the proposed purchase by Sioux City of any shares of common stock of Iowa Public which are not subscribed for under the warrant offering and (e) the proposed issue and sale by Sioux City to Bankers Trust Company (New York) of a promissory note or notes in the aggregate principal amount of \$1,800,000, bearing interest on the unpaid principal amount at the rate of 1 3/4% per annum payable quarterly and maturing in two years from the date of issue; and

The Commission having by order dated September 4, 1947 granted said amended application and permitted said amended declaration to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and to the further condition that the proposed transactions should not be consummated until the results of competitive bidding on the bonds had been made a matter of record in this proceeding and a further order had been issued by this Commission in the light of the record so completed; and the Commission having reserved jurisdiction over the payment of the fees and expenses of all counsel in connection with the proposed transactions; and

A further amendment to the application-declaration having been filed on September 17, 1947, setting forth the action taken by Iowa Public to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids, the following bids for the bonds have been received:

Bidding group headed by—	Coupon rate (percent)	Price to company (percent of principal amount)	Cost to company (percent)
Glore, Forgan & Co.	3	101.819	2.9087
Halkey, Stuart & Co., Inc.	3	101.639	2.9176
Kidder, Peabody & Co.	3	101.5399	2.9223
White, Weld & Co.—Merrill Lynch, Pierce, Fenner & Beane	3	101.531	2.9239
Harriman Ripley & Co., Inc.—Equitable Securities Corp.	3	101.30	2.9345
A. C. Allen & Co., Inc.	3	101.2751	2.9358
Solomon Bros. & Hutzler	3	101.19	2.9409
Otis & Co.	3	101.147	2.9422
The First Boston Corp.	3	100.05	2.9570

Said amendment having further set forth that Iowa Public has accepted the bid of the group headed by Glore, Forgan & Co. as set out above, and that such bonds will be offered for sale to the public at a price of 102.50% of the principal amount thereof plus accrued interest from September 1, 1947 to the date of

delivery, resulting in an underwriter's spread of 0.681% of the principal amount of said bonds; and

Said amendment having also set forth the nature and extent of legal services rendered and the fees requested therefor and the estimated expenses of counsel for which reimbursement is requested; and the applicants-declarants having proposed that of the fee of Winthrop, Stimson, Putnam & Roberts set forth in Table I below, \$1,250 shall be paid by Sioux City and the remainder thereof by Iowa Public; and

It appearing to the Commission that such legal fees and expenses of counsel set forth in Table I below are not unreasonable and that jurisdiction of such matters should be released:

TABLE I

	Fees	Estimated expenses	Total
Winthrop, Stimson, Putnam & Roberts, counsel for Iowa Public and Sioux City	\$12,500.00	\$79.75	\$12,579.75
Sifford, Wadden & Johnson, counsel for Iowa Public	2,500.00	394.44	2,894.44
Hughes, Hubbard & Ewing, counsel for successful bidders on bonds	5,000.00	—	5,000.00
Total	20,000.00	1,104.19	21,104.19

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding under Rule U-50 and with respect to the fees and expenses of counsel be, and hereby is, released, and that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUROIS,
Secretary.

[F. R. Doc. 47-5633; Filed, Sept. 23, 1947; 8:45 a. m.]

[File No. 70-1592]

MONONGAHELA POWER CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of September A. D. 1947.

Monongahela Power Company ("Monongahela") an exempt holding company and an indirect subsidiary of American Water Works and Electric Company, Inc. ("American") a registered holding company, having made a filing pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$7,000,000

principal amount of first mortgage bonds and 40,000 shares of cumulative preferred stock, par value \$100 per share, the price to Monongahela for such securities, the interest rate on the bonds, and the dividend rate on the preferred stock to be fixed at competitive bidding;

The Commission having, by order entered herein under the date of September 9, 1947, permitted the declaration, as amended, regarding the issuance and sale of the aforesaid securities, to become effective subject, among other things, to the condition that the proposed issuance and sale of first mortgage bonds and cumulative preferred stock should not be consummated until the results of competitive bidding, held pursuant to Rule U-50, had been made a matter of record in his proceeding and a further order entered by this Commission in the light of the record so completed:

Monongahela having filed an amendment to its declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids the following bids were received:

Name of group representative	Interest or dividend rate	Percent of principal amount or par value	Cost to company
Merrill Lynch, Pierce, Fenner & Beane	Percent 3	101.549	Percent 2.922
Blyth & Co.—Goldman Sachs & Co.	3	101.42	2.929
Glore, Forgan & Co.	3	101.319	2.924
Halkey, Stuart & Co., Inc.	3	101.239	2.935
Harriman Ripley & Co.	3	101.45	2.927
Kidder, Peabody & Co.	3	101.339	2.930
W. C. Langley & Co.	3	100.14	2.933
Lehman Bros.	3	101.1597	2.940
Solomon Bros. & Hutzler	3	100.631	2.953
Stock Bids			
Lehman Bros.	4.80	101.0057	4.752
W. C. Langley & Co.	5	100.13	4.934

It further appearing that Monongahela has accepted the bond bid of Merrill Lynch, Pierce, Fenner & Beane and the preferred stock bid of Lehman Brothers; that the bonds are to be resold to the public at 102% of the principal amount thereof, plus accrued interest from September 1, 1947, representing a spread to the underwriters of 0.451% on said bonds; and that the preferred stock is to be sold to the public at \$104.25, plus accrued dividends from September 1, 1947, representing a spread of \$3.24 on this preferred stock;

The record also having been completed with respect to fees and expenses to be paid by Monongahela in connection with the proposed transactions and the fees and expenses to be borne by successful bidders, among these fees being fees of counsel to Monongahela aggregating \$12,000 and fees of counsel for the successful bidders of \$8,500;

It is ordered, That said declaration, as amended, be and the same hereby is permitted to become effective forthwith subject to the terms and conditions prescribed by Rule U-24 and to the condition that the reservation of jurisdiction with respect to the payment of fees and expenses applicable to these transactions, and heretofore reserved by the Com-

mission, be and the same hereby is released.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 7-8634; Filed, Sept. 23, 1947;
8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C., and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Supp. Vesting Order 9707]

WILLIAM DRUFFEL

In re: Estate of William Druffel, deceased. File D-28-9406; E. T. sec. 12517.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Catharina Garthoff, Marie Druffel, Josefa Druffel and Theodore Druffel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Bernhard Druffel, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of William Druffel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by First National Bank of Pullman and Joseph Druffel, as Administrators of the Estate of William Druffel, deceased, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Spokane;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Bernhard Druffel, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8639; Filed, Sept. 23, 1947;
8:57 a. m.]

Claimant	Claim No.	Property and location
Erminia Binda, Macon, Ga.	5406	\$5,362.46 in the Treasury of the United States. Lots numbers four (4), five (5) and eleven (11) in block B and lots numbers one (1), two (2), four (4), five (5), forty-three (43) and forty-five (45) in block C of the O'Connell subdivision in the city of Macon, county of Bibb, State of Georgia, plat of which subdivision is recorded in the clerk's office, Bibb Superior Court, in book 72 at page 263, to which plat reference is made for a more precise description. There is excepted from lot number eleven (11) in block B that portion thereof conveyed by Erminia Binda to Standard Oil Co. of Kentucky by warranty deed recorded, May 20, 1924, in the clerk's office, Bibb Superior Court, in book 252 at page 406. That certain tract or parcel of land lying in East Macon District, county of Bibb, State of Georgia, being in the southwest quarter of lot number thirty-one (31) of the Woolfolk property, fronting on a 17-foot alley on the north fifty-two and one-half (52½) feet, and running back with equal width one hundred ten (110) feet, bounded on the south by property of W. E. Edwards, on the east by J. W. Howard lot, and on the north by the said alley; said lot being fifty-two and one-half (52½) feet west of the 17-foot alley which runs north and south through said block; said tract or parcel being a portion of the property conveyed to A. Binda by Macon Securities Co. by warranty deed recorded Apr. 18, 1918, in the clerk's office, Bibb Superior Court, in book 219 at page 703. All right, title, interest and claim of any name or nature whatsoever of the claimant in and to any and all unliquidated obligations, contingent or otherwise, and whether or not matured, owing to the claimant by A. T. Holt Co. and Dessau Realty & Insurance Co., immediately prior to the vesting thereof.

Executed at Washington, D. C., on September 18, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8645; Filed, Sept. 23, 1947;
8:57 a. m.]

[Vesting Order 9756]

GRAF-WOLDEMAR UXKULL-GYLLENBAND

In re: Stock owned by Graf-Woldemar Uxkull-Gyllenband. F-28-1660-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Graf-Woldemar Uxkull-Gyllenband, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Twenty-four (24) shares of \$10.00 par value capital stock of Sterling Drug Inc., 170 Varick Street, New York 13, N. Y., a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 049039, registered in the name of Graf-Woldemar Uxkull-Gyllenband, together with all declared and unpaid dividends thereon, and the right to receive two (2) shares (new) \$5.00 par value common stock for each share of (old) \$10.00 par value stock of the aforesaid corporation,

ERMINIA BINDA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 4, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8640; Filed, Sept. 23, 1947;
8:57 a. m.]